

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
:
JEFFREY FROMMER, et al.,
:Plaintiffs,
:-v-
:MONEYLION TECHNOLOGIES INC., et al.,
:Defendants.
:
-----X

23-CV-6339 (JMF)


ORDER

JESSE M. FURMAN, United States District Judge:

On July 21, 2023, Plaintiffs filed a Complaint in which they invoked the Court's subject-matter jurisdiction pursuant to 28 U.S.C. § 1332. *See* ECF No. 1, ¶ 18. Although Plaintiffs state that "there is complete diversity of citizenship between the parties," they merely allege the Plaintiffs' states of residence, not their states of citizenship. *Id.* ¶¶ 12-15, 18. This is not enough. *See, e.g., Davis v. Cannick*, No. 14-CV-7571 (SJF) (SIL), 2015 WL 1954491, at *2 (E.D.N.Y. Apr. 29, 2015) ("[A] conclusory allegation in the Complaint regarding diversity of citizenship does not extinguish the Court's responsibility to determine, on its own review of the pleadings, whether subject matter jurisdiction exists." (internal quotation marks omitted)). For the purpose of diversity jurisdiction, "a statement of the parties' residence is insufficient to establish their citizenship." *Leveraged Leasing Admin. Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44, 47 (2d Cir. 1996); *see also, e.g., Linardos v. Fortuna*, 157 F.3d 945, 948 (2d Cir. 1998) ("For purposes of diversity jurisdiction, a party's citizenship depends on his domicile."); *Canedy v. Liberty Mut. Ins. Co.*, 126 F.3d 100, 103 (2d Cir. 1997) ("[A]llegations of residency alone cannot establish citizenship . . .").

Accordingly, no later than **August 1, 2023**, Plaintiffs shall file an amended complaint properly alleging the *citizenship* of each party to this action. If, by that date, Plaintiffs do not file an amended complaint establishing this Court's subject-matter jurisdiction, the Court will dismiss the case without prejudice and without further notice to any party.

SO ORDERED.

Dated: July 25, 2023
New York, New York


 JESSE M. FURMAN
 United States District Judge